



W.P(MD)No.3568 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.02.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD)No.3568 of 2025

Sekar

... Petitioner

Vs.

1.The Superintendent of Police,
Trichy District,
Trichy.

2.The Inspector of Police,
District Crime Branch Police Station,
Trichy District,
Trichy.

3.Selvaraj

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to consider the petitioner's representation, dated 16.12.2024 and conduct enquiry, take necessary action against the third respondent and pass such further or other orders as this Court.

For Petitioner : Mr.T.Vadivelan



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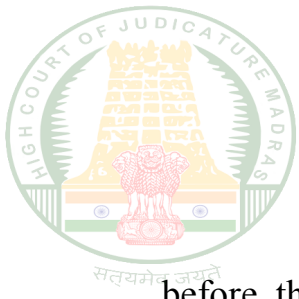
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For R-1 & R-2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The present petition has been filed for issuance of Writ of Mandamus directing the respondents 1 and 2 to consider the petitioner's representation, dated 16.12.2024 and conduct enquiry, take necessary action against the third respondent.

2. The learned Counsel appearing for the petitioner would submit that the petitioner borrowed money for his daughter's marriage and thereby, he mortgaged his property in S.Nos.432/6 and 434/13 to an extent of 2.97 acres situated at Thirunellipatti Village, Marungapuri Taluk, Trichy District and also executed a mortgage deed, dated 10.10.2019. After execution of mortgage deed, the third respondent has not paid money. In the mean time, due to Covid-19 Pandemic, the petitioner's daughter's marriage was dropped. Thereafter, when the petitioner approached the third respondent to cancel the mortgage deed, they demanded Rs.2 Lakhs. In the meantime, the third respondent also filed a suit in O.S.No.273 of 2021 for recovery of money



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before the Subordinate Court, Manapparai and the same was dismissed for default on 30.10.2023. After default of the case, the petitioner requested him to cancel the mortgage deed and to return the original document but the same was not considered. Per contra, the third respondent threatened the petitioner with dire consequences. Therefore, he sent a representation, dated 16.12.2024 before the second respondent but no action was taken. Hence, the present petition.

3. The learned Additional Public Prosecutor appearing for the official respondents would submit that there is a money dispute pending between the parties and the District Crime Branch after enquiry, transferred the same to the Thoovakudi Police Station. Therefore, the Thoovakudi Police have to enquire the matter and to dispose the representation and they will dispose the representation of the petitioner, dated 16.12.2024, within a week.

4. Since the representation is still pending with the Thoovakudi police station, it is appropriate to direct the first respondent to instruct the Thoovakudi Police Station to dispose the representation of the petitioner, dated 16.12.2024, on merits and in accordance with law, within a period of one (1) week from the date of this order. Accordingly, ordered.



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5. With the above said observations and direction, this writ petition stands disposed of. There shall be no order as to costs.

10.02.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

1.The Superintendent of Police,
Trichy District,
Trichy.

2.The Inspector of Police,
District Crime Branch Police Station,
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P.DHANABAL, J.

BTR

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